

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79392

Juergen HARTMAIER, et al.

Appln. No.: 10/758,118

Group Art Unit: 2873

Confirmation No.: 5044

Examiner: Not Yet Assigned

Filed: January 16, 2004

For: RETARDATION ELEMENT MADE FROM CUBIC CRYSTAL, AND AN OPTICAL
SYSTEM THEREWITH

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents, other than any U.S. patents and patent publications, is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/758,118

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith copies of two Search Reports from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least those portions of the Search Reports indicating the degree of relevance found by the foreign patent office.

Patent Office personnel is requested to note that reference DE 197 04 936 A, cited on pages 3 and 12 of the present application, corresponds to U.S. Application No. 09/017,159, which issued on September 17, 2002, as U.S. Patent 6,451,462. The U.S. Patent rather than the German reference is listed for consideration in the present Information Disclosure. A copy of the German reference will be furnished upon request.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

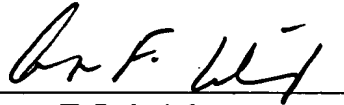
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Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Sheet	1	of	1	Application Number	10/758,118
				Confirmation Number	5044
				Filing Date	January 16, 2004
				First Named Inventor	Juergen HARTMAIER
				Art Unit	2873
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	Q79392

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 6,384,974	B1	5/7/2002	Joubert, et al
		US 6,201,634	B1	3/13/2001	Sakuma, et al
		US 6,084,708	B	7/4/2000	Schuster
		US 6,191,880	B1	2/20/2001	Schuster
		US 6,384,974	B1	5/7/2002	Joubert, et al
		US 6,451,462	B1	9/17/2002	Schuster

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		EP	0 488 211	A	06/03/1992	Fujitsu Ltd.	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		CHRIS VAN PESKI, "Birefringence of calcium fluoride," Letter Sematech, (May 7, 2001), 1 page	
		JOHN H. BURNETT et al., "Intrinsic birefringence in calcium fluoride and barium fluoride," Physical Review B, Vol 64, No. 24, November 29, 2001, pages 241102-1 -241102-4, Vol 64	
		JOHN H. BURNETT et al., "Minimizing spatial-dispersion-induced birefringence in crystals used for precision optics by using mixed crystals of materials with the opposite sign of the birefringence," July 12, 2001, Archival Copy of the NIST, pages 1-2	
		JOHN B. BURNETT et al., "Preliminary Determination of an Intrinsic Birefringence in CaF ₂ ," May 7, 2001, National Institute of Standards & Technology.	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.